

**CITY OF LOCKPORT
CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting
Official Record

May 21, 2014
6:00 P.M.

Mayor Anne E. McCaffrey called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Kibler, Lombardi, Fogle, Franco, Schrader, and Genewick.

MAYOR'S UPDATE

RECESS

Recess for public input.

052114.1

APPROVAL OF MINUTES

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of May 7, 2014 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

PUBLIC HEARING

The Mayor announced a public hearing on a request for a Special Use Permit made by Jordan Bork for approval to operate an E-Cigarette Store to be located at 343 Walnut Street, situated in a B-4 Zone.

The Mayor asked the City Clerk if any petitions or communications relative to the request for the Special Use Permit request have been received.

5/6/14 Charlene Seekins-Smith, Chairman, Lockport Planning and Zoning Board
– the Board does not recommend that the request for a special use permit be approved.

5/21/14 Petition with 22 signatures in favor of approval.

Recess for public input.

The Mayor closed the public hearing.

FROM THE MAYOR

Appointments:

4/24/14 Dale W. Lawson Jr., - appointed as Water Distribution Maintenance Supervisor effective April 22, 2014. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations.
Received and filed.

5/20/14 Wade Andes, 19 Russell Street, Lockport, NY – appointed as a member of the Traffic Advisory Committee.
Received and filed.

5/20/14 John Haenle, 281 Ontario Street, Lockport, NY – appointed as a member of the Traffic Advisory Committee.
Received and filed.

FROM THE CITY CLERK

The Clerk submitted payrolls, bills for services and expenses, and reported that the Department Heads submitted reports of labor performed in their departments.
Referred to the Finance Committee.

Communications (which have been referred to the appropriate City officials)

5/9/14 Doug Haak, Chairman, B. Leo Dolan Post No. 410, American Legion, Inc., 42-44 Niagara Street, Lockport, NY – request permission to conduct a Memorial Day Parade on Sunday, May 25, 2014.
Referred to the Committee of the Whole

5/14/14 Duane W. Priset, Senior Pastor, Emmanuel United Methodist Church – request permission to conduct their annual block party on July 23, 2014.
Referred to the Committee of the Whole

5/15/14 Niagara County Industrial Development Agency, 6311 Inducon Corporate Drive, Sanborn, NY – Notice of Public Hearing re: Reid Petroleum Corp.
Referred to the Committee of the Whole

5/20/14 Richelle J. Pasceri, City Clerk – notification that the Lockport Municipal Offices will be closed on Monday, May 26, 2014 in observance of Memorial Day. For the entire week of May 26th, garbage will be collected on the day following regularly scheduled collection.
Referred to the Media.

5/21/14 Richie Rich Inc., 531 Akron Road, Akron, NY – request permission to barricade a portion of Main Street on May 29, 2014 to complete work on the roof of 77 Main Street.
Referred to the Committee of the Whole

Notice of Defect:

4/21/14 Pine Street – South of High Street – pothole
5/1/14 Olcott Street – near Dolan Park to Rte 78 – potholes
5/1/14 Chestnut Street – near Market Street & near Elm St – potholes
5/1/14 14 Rogers Avenue – tree
5/1/14 665 Walnut Street – tree
5/5/14 Locust Street – near 289 & 326 Locust Street – potholes
5/5/14 36 Morrow Avenue – tree
5/6/14 Lincoln Avenue – near Lockport High School – potholes
5/6/14 Walnut Street – in front of 756 Walnut – pothole
5/7/14 53 Hyde Park – tree
5/13/14 535 High Street – curb height due to milling
5/15/14 Various Locations on Pine, Willow & Waterman Streets – potholes
5/16/14 Outwater Park – trees
5/19/14 191 Washington Street – tree
Referred to the Director of Engineering.

Notice of Claim:

4/21/14 Chad M. Savage, 221 Lincoln Avenue, Lockport, NY
5/6/14 Lewis A. Simons, 792A E High Street, Lockport, NY
5/7/14 Megan Campagna, 18 Lincoln Drive, Lockport, NY
5/9/14 John Frischholz, 629 Locust Street, Lockport, NY
Referred to the Corporation Counsel.

MOTIONS & RESOLUTIONS**052114.2**

By Alderman Genewick:

Resolved, that the Mayor and City Clerk be authorized to issue orders in favor of the claimants for payrolls, bills, and services to be paid on May 23, 2014 as follows:

General Fund	Account #001	\$ 205,582.28
Water Fund	Account #002	\$ 37,414.96
Sewer Fund	Account #003	\$ 51,859.48
Refuse Fund	Account #012	\$ 90,295.88
Payroll	Pay Date 5/29/14	\$654,554.02

Seconded by Alderman Franco and adopted. Ayes 6.

052114.3

By Alderman Genewick:

Resolved, that claims authorized for payment by the Director of Planning and Development, and subsequently paid from the Community Development Escrow Account, be and the same are hereby approved.

Seconded by Alderman Lombardi and adopted. Ayes 6.

052114.4

By Alderman Lombardi:

Resolved, that pursuant to their request, B. Leo Dolan Post No. 410, The American Legion is hereby granted permission to conduct a Memorial Day Parade in the City of Lockport on Sunday, May 25, 2014 subject to approval of the parade route by the Police Chief. Said parade will form at noon at Veteran's Park on East Avenue where a brief Memorial Service will be conducted. At approximately 1:00 p.m. the parade units will proceed west on East Avenue/Main Street using the right side of Main Street and terminate at the Municipal Building, and be it further

Resolved, that the Director of Engineering is hereby authorized and directed to arrange for delivery of barricades and no parking signs to keep the right side of Main Street clear where dividers occur, and be it further

Resolved, that the City Clerk is hereby authorized and directed to issue a parade permit for said event, and be it further

Resolved, that the City Clerk is hereby authorized to purchase 12 monument wreaths to be used for Memorial Day ceremonies. Cost of same to be charged to account #001-8510-434-8003.

Seconded by Alderman Schrader and adopted. Ayes 6.

052114.5

By Alderman Lombardi:

Whereas, the City of Lockport's loader fleet is in need of replacement, and

Whereas, an additional loader will decrease the amount of time to plow the City streets and possibly reduce overtime cost, and

Whereas, the City desires to purchase a new loader through State Contract using CHIPS funding, now it therefore be

Resolved, that the Director of Engineering / Public Works or his authorized representative is hereby authorized and directed to purchase a new 2014 John Deere 544 k with a Viking plow and wing setup, charged to account #004.0004.0520.0082 at a cost of \$173,629.29.

Seconded by Alderman Fogle and adopted. Ayes 6.

052114.6

By Alderman Lombardi:

Resolved, that the Assistant Engineer is hereby authorized and directed to prepare Request for Proposals for a roof project at the stone shelter in Outwater Park, and be it further

Resolved, that upon receipt of said specifications, the City Clerk is authorized and directed to advertise for bid proposals for same.

Seconded by Alderman Fogle and adopted. Ayes 6.

052114.7

By Alderman Schrader:

Resolved, that pursuant to their request, Soccer Shots Buffalo is hereby granted permission to conduct a Summer Soccer Program at Altro Park on Sunday afternoons beginning Sunday, July 13th through Sunday, August 31st, subject to Soccer Shots Buffalo filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured.

Seconded by Alderman Kibler and adopted. Ayes 6.

052114.8

By Alderman Lombardi:

Resolved, that pursuant to their request, permission is hereby granted the Emmanuel United Methodist Church to barricade Wakeman Alley on Wednesday, July 23, 2014, for a block party, and be it further

Resolved, that the Director of Engineering be and the same is hereby authorized and directed to arrange for delivery of barricades and traffic cones to said area prior to said event.

Seconded by Alderman Franco and adopted. Ayes 6.

052114.8A

By Alderman Kibler:

Whereas, the City of Lockport has been invited by the New York State Division of Housing and Community Renewal to submit an application for the New York State HOME Program, and

Whereas, the City of Lockport is desirous of continuing its revitalization efforts for the benefit of low and moderate income residents, to improve and upgrade distressed neighborhoods, provide safe, decent and sanitary housing, and

Whereas, a program has been prepared that meets those identified community needs, now, therefore, be it

Resolved that the Mayor be and is hereby authorized to execute and submit a \$400,000 application to the New York State Division of Housing and Community Renewal for the New York State HOME Program.

Seconded by Alderman Genewick and adopted. Ayes 6.

052114.8B

By Alderman Schrader:

Resolved, that pursuant to their request, Lockport Lacrosse Association is hereby granted permission to conduct a Summer Lacrosse League at Altro Park and Kibler Park beginning May 28th through July 31st 2014 subject to the approval of the schedule by the Highways & parks Department and Lockport Lacrosse Association filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

Resolved, that said permission is subject to an agreement with AFSCME to allow Lockport Lacrosse Association to paint stripes on the fields, and Lockport Lacrosse Association bringing all past fees for maintenance of fields current.

Seconded by Alderman Franco and adopted. Ayes 6.

052114.8C

By Alderman Genewick:

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute an employment agreement with Brandy Martucci for Confidential Secretary Services.

Seconded by Alderman Fogle and adopted. Ayes 6.

052114.8D

By Alderman Schrader:

Resolved, that the Assistant Director of Engineering is hereby authorized and directed to prepare bid specifications for Main Street water line repair, and be it further

Resolved, that upon receipt of said specifications, the City Clerk is authorized and directed to advertise for bid proposals for same.

Seconded by Alderman Lombardi and adopted. Ayes 6.

052114.8E

By Alderman Schrader:

Resolved, that pursuant to their request, Lockport Fire Department is hereby granted permission to erect a banner above the garage doors of the Fire Department through September 1, 2014 to celebrate their 100th year anniversary.

Resolved, that the City Clerk is hereby authorized and directed to make arrangements to erect the banner.

Seconded by Alderman Genewick and adopted. Ayes 6.

052114.8F

By Alderman Genewick:

WHEREAS, Deputy City Attorney Matthew Brooks was out on sick leave due to surgery from February 25, 2014 and concluding on May 13, 2014, and

WHEREAS, the other Deputy Corporation Counsel have a conflict with prosecuting matters in Traffic Court, and

WHEREAS, Corporation Counsel John Ottaviano engaged the services of David Haylett, Esq. to cover Traffic Court and dangerous dog hearings while Deputy City Attorney Matthew Brooks was out on sick leave due to surgery from February 25, 2014 and concluding on May 13, 2014, and

WHEREAS, the Corporation Counsel's Office has within its budget sufficient funds to pay Mr. Haylett the sum of \$200.00 an hour for two hours each Tuesday afternoon commencing February 25, 2014 and concluding on May 13, 2014, for a total sum of \$2,400.

NOW THEREFORE, BE IT

RESOLVED, that the Mayor be and is hereby authorized to pay David Haylett, Esq. the sum of \$2,400 for temporary legal services performed from February 25, 2014 through May 13, 2014.

Seconded by Alderman Schrader and adopted. Ayes 6.

052114.8G

By Alderman Genewick:

WHEREAS, on February 1, 2014, the Common Council passed Resolution 021114.16E authorizing Mayor to engage Bonadio & Co., LPP for the sum of \$7,000 to review and assess the City of Lockport Treasurer's Office including but not limited to on-site interviews with personnel, reviewing of documents, attendance at various meetings with the Mayor, Corporation Counsel and the City, drafting a report, and presentation to Common Council, and

WHEREAS, the final Staff and Partner time exceeded the initial projected/estimate of \$7,000.

NOW THEREFORE BE IT

RESOLVED, that the above Resolution be amended to authorize the payment of \$13,700.00.

Seconded by Alderman Franco and adopted. Ayes 6.

052114.8H

By Alderman Kibler:

Resolved, that pursuant to their request, permission is hereby granted to Richie Rich Inc. to barricade Main Street from Pine Street and Locust Street on May 29, 2014 to conduct work on the roof of 77 Main Street. Said permission is subject to Richie Rich Inc. filing a certificate of insurance naming the City of Lockport as additional insured.

Seconded by Alderman Genewick and adopted. Ayes 6.

052114.9

ADJOURNMENT

At 6:43 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, June 4, 2014.

Seconded by Alderman Genewick and adopted. Ayes 6.

RICHELLE J. PASCERI
City Clerk